

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

VERNITA MIRACLE-POND and
SAMANTHA PARAF, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

SHUTTERFLY, INC.,

Defendant.

Civil Action No. 1:19-cv-4722

Hon. Mary M. Rowland

DEFENDANT’S MOTION TO COMPEL ARBITRATION AND STAY LITIGATION

Defendant Shutterfly, Inc. (“Shutterfly”) hereby moves this Court pursuant to the Federal Arbitration Act for an Order compelling plaintiff Vernita Miracle-Pond (“Miracle-Pond”) to arbitrate her claims against Shutterfly on an individual basis and to stay further litigation of her claims pending the outcome of the arbitration. As set forth in Shutterfly’s accompanying memorandum of law and supporting declarations and exhibits, Miracle-Pond should be compelled to arbitration because, as a user of Shutterfly, she has agreed to Shutterfly’s terms of service, including the provision requiring individual arbitration of her claims.

WHEREFORE, Shutterfly respectfully moves this Court to compel Miracle-Pond to arbitrate her claims on an individual basis and stay further litigation of her claims pending the outcome of the arbitration.

Date: October 3, 2019

By: /s/ Lauren R. Goldman

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Attorneys for Defendant Shutterfly, Inc.

**pro hac vice application to be filed*

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of October 2019, a copy of the foregoing Notice of Defendant's Motion to Compel Arbitration and Stay Litigation was filed electronically and served by mail on anyone unable to accept electronic filing. Parties may access this filing through the court's CM/ECF System.

/s/ Lauren R. Goldman

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